

**RESOLUTION AUTHORIZING THE ISSUANCE AND SALE OF A
\$1,000,000 GENERAL OBLIGATION PROMISSORY NOTE**

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the county board of supervisors of the county of Manitowoc (“County
2 Board”) hereby finds and determines that it is necessary, desirable and in the best interest of
3 Manitowoc County, Wisconsin (the “County”) to raise funds for public purposes, including paying
4 the cost of Highway Department road reconstruction and paving projects (the “Project”); and
5

6 WHEREAS, the County Board hereby finds and determines that the Project is within the
7 County’s power to undertake and therefore serves a “public purpose” as that term is defined in
8 Wis. Stat. § 67.04(1)(b); and
9

10 WHEREAS, the County is authorized by the provisions of Wis. Stat. § 67.12(12) to borrow
11 money and issue general obligation promissory notes for such public purposes; and
12

13 WHEREAS, none of the proceeds of the Note (as defined below) shall be used to fund the
14 operating expenses of the general fund of the County or to fund the operating expenses of any
15 special revenue fund of the County that is supported by the property taxes; and
16

17 WHEREAS, it is the finding of the County Board that it is necessary, desirable and in the
18 best interest of the County to sell such general obligation promissory note (the “Note”) to U.S.
19 Bank National Association (the “Purchaser”), pursuant to the terms and conditions of its note
20 purchase proposal attached hereto as ***Exhibit A*** and incorporated herein by this reference (the
21 “Proposal”);
22

23 NOW, THEREFORE, BE IT RESOLVED by the county board of supervisors of the county
24 of Manitowoc that:
25

26 Section 1. Authorization and Sale of the Note. For the purpose of paying the cost of the
27 Project, there shall be borrowed pursuant to Wis. Stat. § 67.12(12) the principal sum of ONE
28 MILLION DOLLARS (\$1,000,000) from the Purchaser in accordance with the terms and
29 conditions of the Proposal and a Loan Agreement in substantially the form attached hereto as
30 ***Exhibit B***, which the Chairperson and County Clerk or other appropriate officers of the County
31 are authorized and directed to execute on behalf of the County. To evidence the obligation of the
32 County, the Chairperson and County Clerk are hereby authorized, empowered and directed to
33 make, execute, issue and sell to the Purchaser for, on behalf of and in the name of the County, the
34 Note in the principal amount of ONE MILLION DOLLARS (\$1,000,000) for a purchase price
35 equal to the par amount of the Note, plus accrued interest to the date of delivery.
36

37 Section 2. Terms of the Note. The Note shall be designated “General Obligation
38 Promissory Note”; shall be issued in the principal amount of \$1,000,000; shall be dated July 1,
39 2021; shall be in the denomination of \$100,000 or more; shall be numbered R-1; and shall bear

40 interest at the rate of 1.09% per annum and mature in installments of principal due on July 1 of
41 each year and in the years and principal amounts as set forth on the Debt Service Schedule attached
42 hereto as **Exhibit C** and incorporated herein by this reference (the "Schedule"). Interest shall be
43 payable semi-annually on January 1 and July 1 of each year commencing on January 1, 2022.
44 Interest shall be computed upon the basis of a 360-day year of twelve 30-day months. The
45 schedule of principal and interest payments due on the Note is set forth on the Schedule.

46
47 Section 3. Redemption Provisions. The Note is subject to redemption prior to maturity,
48 at the option of the County, on any business day. The Note is redeemable as a whole or in part,
49 and if in part from principal installments selected by the County, at the principal amount thereof,
50 plus accrued interest to the date of redemption.

51
52 Section 4. Form of the Note. The Note shall be issued in registered form and shall be
53 executed and delivered in substantially the form attached hereto as **Exhibit D** and incorporated
54 herein by this reference.

55
56 Section 5. Tax Provisions.

57
58 (A) Direct Annual Irrepealable Tax Levy. For the purpose of paying the principal
59 of and interest on the Note as the same becomes due, the full faith, credit and resources of the
60 County are hereby irrevocably pledged, and there is hereby levied upon all of the taxable property
61 of the County a direct annual irrepealable tax in the years 2021 through 2025 for the payments due
62 in the years 2022 through 2026 in the amounts set forth on the Schedule.

63
64 (B) Tax Collection. So long as any part of the principal of or interest on the Note
65 remains unpaid, the County shall be and continue without power to repeal such levy or obstruct
66 the collection of said tax until all such payments have been made or provided for. After the
67 issuance of the Note, said tax shall be, from year to year, carried onto the tax roll of the County
68 and collected in addition to all other taxes and in the same manner and at the same time as other
69 taxes of the County for said years are collected, except that the amount of tax carried onto the tax
70 roll may be reduced in any year by the amount of any surplus money in the Debt Service Fund
71 Account created below.

72
73 (C) Additional Funds. If at any time there shall be on hand insufficient funds from
74 the aforesaid tax levy to meet principal and/or interest payments on said Note when due, the
75 requisite amounts shall be paid from other funds of the County then available, which sums shall
76 be replaced upon the collection of the taxes herein levied.

77
78 Section 6. Segregated Debt Service Fund Account.

79
80 (A) Creation and Deposits. There be and there hereby is established in the
81 treasury of the County, if one has not already been created, a debt service fund, separate and
82 distinct from every other fund, which shall be maintained in accordance with generally accepted
83 accounting principles. Debt service or sinking funds established for obligations previously issued
84 by the County may be considered as separate and distinct accounts within the debt service fund.
85

86 Within the debt service fund, there hereby is established a separate and distinct account
87 designated as the “Debt Service Fund Account for General Obligation Promissory Note” (the
88 “Debt Service Fund Account”) and such account shall be maintained until the indebtedness
89 evidenced by the Note is fully paid or otherwise extinguished. There shall be deposited into the
90 Debt Service Fund Account (i) all accrued interest received by the County at the time of delivery
91 of and payment for the Note; (ii) any premium which may be received by the County above the
92 par value of the Note and accrued interest thereon; (iii) all money raised by the taxes herein levied
93 and any amounts appropriated for the specific purpose of meeting principal of and interest on the
94 Note when due; (iv) such other sums as may be necessary at any time to pay principal of and
95 interest on the Note when due; (v) surplus monies in the Borrowed Money Fund as specified below;
96 and (vi) such further deposits as may be required by Wis. Stat. § 67.11.
97

98 (B) Use and Investment. No money shall be withdrawn from the Debt Service
99 Fund Account and appropriated for any purpose other than the payment of principal of and interest
100 on the Note until all such principal and interest has been paid in full and the Note canceled;
101 provided (i) the funds to provide for each payment of principal of and interest on the Note prior to
102 the scheduled receipt of taxes from the next succeeding tax collection may be invested in direct
103 obligations of the United States of America maturing in time to make such payments when they
104 are due or in other investments permitted by law; and (ii) any funds over and above the amount of
105 such principal and interest payments on the Note may be used to reduce the next succeeding tax
106 levy, or may, at the option of the County, be invested by purchasing the Note as permitted by and
107 subject to Wis. Stat. § 67.11(2)(a), or in permitted municipal investments under the pertinent
108 provisions of the Wisconsin Statutes (“Permitted Investments”), which investments shall continue
109 to be a part of the Debt Service Fund Account. Any investment of the Debt Service Fund Account
110 shall at all times conform with the provisions of the Internal Revenue Code of 1986, as amended
111 (the “Code”) and any applicable Treasury Regulations (the “Regulations”).
112

113 (C) Remaining Monies. When all of the Note has been paid in full and canceled,
114 and all Permitted Investments disposed of, any money remaining in the Debt Service Fund Account
115 shall be transferred and deposited in the general fund of the County, unless the County Board
116 directs otherwise.
117

118 Section 7. Proceeds of the Note; Segregated Borrowed Money Fund. The proceeds of the
119 Note (the “Note Proceeds”) (other than any premium and accrued interest which must be paid at
120 the time of the delivery of the Note into the Debt Service Fund Account created above) shall be
121 deposited into a special fund (the “Borrowed Money Fund”) separate and distinct from all other
122 funds of the County and disbursed solely for the purpose or purposes for which borrowed. In no
123 event shall monies in the Borrowed Money Fund be used to fund operating expenses of the general
124 fund of the County or of any special revenue fund of the County that is supported by property
125 taxes. Monies in the Borrowed Money Fund may be temporarily invested in Permitted
126 Investments. Any monies, including any income from Permitted Investments, remaining in the
127 Borrowed Money Fund after the purpose or purposes for which the Note has been issued have
128 been accomplished, and, at any time, any monies as are not needed and which obviously thereafter
129 cannot be needed for such purposes shall be deposited in the Debt Service Fund Account.
130

131 Section 8. No Arbitrage. All investments made pursuant to this Resolution shall be
132 Permitted Investments, but no such investment shall be made in such a manner as would cause the
133 Note to be “arbitrage bonds” within the meaning of Section 148 of the Code or the Regulations
134 and an officer of the County, charged with the responsibility for issuing the Note, shall certify as
135 to facts, estimates, circumstances and reasonable expectations in existence on the date of delivery
136 of the Note to the Purchaser which will permit the conclusion that the Note is not an “arbitrage
137 bond,” within the meaning of the Code or Regulations.
138

139 Section 9. Compliance with Federal Tax Laws. (a) The County represents and
140 covenants that the projects financed by the Note and the ownership, management and use of the
141 projects will not cause the Note to be “private activity bonds” within the meaning of Section 141
142 of the Code. The County further covenants that it shall comply with the provisions of the Code
143 to the extent necessary to maintain the tax-exempt status of the interest on the Note including, if
144 applicable, the rebate requirements of Section 148(f) of the Code. The County further covenants
145 that it will not take any action, omit to take any action or permit the taking or omission of any
146 action within its control (including, without limitation, making or permitting any use of the
147 proceeds of the Note) if taking, permitting or omitting to take such action would cause any of the
148 Note to be an arbitrage bond or a private activity bond within the meaning of the Code or would
149 otherwise cause interest on the Note to be included in the gross income of the recipients thereof
150 for federal income tax purposes. The County Clerk or other officer of the County charged with
151 the responsibility of issuing the Note shall provide an appropriate certificate of the County
152 certifying that the County can and covenanting that it will comply with the provisions of the Code
153 and Regulations.
154

155 (b) The County also covenants to use its best efforts to meet the requirements and
156 restrictions of any different or additional federal legislation which may be made applicable to the
157 Note provided that in meeting such requirements the County will do so only to the extent consistent
158 with the proceedings authorizing the Note and the laws of the State of Wisconsin and to the extent
159 that there is a reasonable period of time in which to comply.
160

161 Section 10. Designation as Qualified Tax-Exempt Obligations. The Note is hereby
162 designated as a “qualified tax-exempt obligation” for purposes of Section 265 of the Code, relating
163 to the ability of financial institutions to deduct from income for federal income tax purposes,
164 interest expense that is allocable to carrying and acquiring tax-exempt obligations.
165

166 Section 11. Execution of the Note; Closing; Professional Services. The Note shall be
167 issued in printed form, executed on behalf of the County by the manual or facsimile signatures of
168 the Chairperson and County Clerk, authenticated, if required, by the Fiscal Agent (defined below),
169 sealed with its official or corporate seal, if any, or a facsimile thereof, and delivered to the
170 Purchaser upon payment to the County of the purchase price thereof, plus accrued interest to the
171 date of delivery (the “Closing”). The facsimile signature of either of the officers executing the
172 Note may be imprinted on the Note in lieu of the manual signature of the officer but, unless the
173 County has contracted with a fiscal agent to authenticate the Note, at least one of the signatures
174 appearing on each Note shall be a manual signature. In the event that either of the officers whose
175 signatures appear on the Note shall cease to be such officers before the Closing, such signatures
176 shall, nevertheless, be valid and sufficient for all purposes to the same extent as if they had

177 remained in office until the Closing. The aforesaid officers are hereby authorized and directed to
178 do all acts and execute and deliver the Note and all such documents, certificates and
179 acknowledgements as may be necessary and convenient to effectuate the Closing. The County
180 hereby authorizes the officers and agents of the County to enter into, on its behalf, agreements and
181 contracts in conjunction with the Note, including but not limited to agreements and contracts for
182 legal, trust, fiscal agency, disclosure and continuing disclosure, and rebate calculation services.
183 Any such contract heretofore entered into in conjunction with the issuance of the Note is hereby
184 ratified and approved in all respects.

185
186 Section 12. Payment of the Note; Fiscal Agent. The principal of and interest on the Note
187 shall be paid by the County Clerk or the County Treasurer (the "Fiscal Agent").
188

189 Section 13. Persons Treated as Owners; Transfer of Note. The County shall cause books
190 for the registration and for the transfer of the Note to be kept by the Fiscal Agent. The person in
191 whose name any Note shall be registered shall be deemed and regarded as the absolute owner
192 thereof for all purposes and payment of either principal or interest on any Note shall be made only
193 to the registered owner thereof. All such payments shall be valid and effectual to satisfy and
194 discharge the liability upon such Note to the extent of the sum or sums so paid.
195

196 Any Note may be transferred by the registered owner thereof by surrender of the Note at
197 the office of the Fiscal Agent, duly endorsed for the transfer or accompanied by an assignment
198 duly executed by the registered owner or his attorney duly authorized in writing. Upon such
199 transfer, the Chairperson and County Clerk shall execute and deliver in the name of the transferee
200 or transferees a new Note or Notes of a like aggregate principal amount, series and maturity and
201 the Fiscal Agent shall record the name of each transferee in the registration book. No registration
202 shall be made to bearer. The Fiscal Agent shall cancel any Note surrendered for transfer.
203

204 The County shall cooperate in any such transfer, and the Chairperson and County Clerk
205 are authorized to execute any new Note or Notes necessary to effect any such transfer.
206

207 Section 14. Record Date. The 15th day of the calendar month next preceding each
208 interest payment date shall be the record date for the Note (the "Record Date"). Payment of
209 interest on the Note on any interest payment date shall be made to the registered owners of the
210 Note as they appear on the registration book of the County at the close of business on the Record
211 Date.
212

213 Section 15. Continuing Disclosure. The continuing disclosure requirements of SEC Rule
214 15c2-12 promulgated by the Securities and Exchange Commission pursuant to the Securities and
215 Exchange Act of 1934 (the "Rule") are not applicable to the Note because the Purchaser will
216 covenant that it will hold and not make a primary offering of the Note, or otherwise will establish
217 an exception to the Rule relating to the Note.
218

219 Section 16. Record Book. The County Clerk shall provide and keep the transcript of
220 proceedings as a separate record book (the "Record Book") and shall record a full and correct
221 statement of every step or proceeding had or taken in the course of authorizing and issuing the
222 Note in the Record Book.

223
224 Section 17. Conflicting Resolutions; Severability; Effective Date. All prior resolutions,
225 rules or other actions of the County Board or any parts thereof in conflict with the provisions hereof
226 shall be, and the same are, hereby rescinded insofar as the same may so conflict. In the event that
227 any one or more provisions hereof shall for any reason be held to be illegal or invalid, such
228 illegality or invalidity shall not affect any other provisions hereof. The foregoing shall take effect
229 immediately upon adoption and approval in the manner provided by law.

Dated this 15th day of June 2021.

Respectfully submitted by the
Finance Committee

Paul Hansen, Chair

FISCAL IMPACT: See debt service schedule for principal, interest, and tax levy amounts.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. _____

APPROVED: _____
Bob Ziegelbauer, County Executive Date

ORDINANCE AMENDING ZONING MAP
(Timothy and Myriam Christel)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on May 24, 2021; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
5 and an examination of the facts, recommends that the petition be approved for the reasons stated
6 in the attached report;
7

8 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does
9 ordain as follows:
10

11 A parcel of land located in all of the East-Half of the Southeast Quarter of the Southwest
12 Quarter of Section 32 Township 20 North, Range 21 East, Town of Maple Grove, Manitowoc
13 County, Wisconsin, described as follows:
14

15 Beginning at the South Quarter Corner of said Section 32; thence West a distance
16 of 660 feet along the south line of the southwest quarter to the west line of the east-
17 half of the southeast quarter of the southwest quarter; thence North a distance of
18 1,320 feet along the west line to the north line of the southeast quarter of the
19 southwest quarter; thence East a distance of 660 feet along the north line to the east
20 line of the of the southeast quarter of the southwest quarter; thence South a distance
21 of 1,320 feet along the west line to the point of beginning, said parcel containing
22 approximately 20 acres of land and is hereby rezoned from Exclusive Agriculture
23 (EA) District to General Agriculture (GA) District.

Dated this 15th day of June 2021.

Respectfully submitted by the
Planning and Park Commission

David Dyzak, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. _____

COUNTERSIGNED: _____
James Brey, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

ORDINANCE AMENDING ZONING MAP
(Bret Fischer)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on May 24, 2021; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
5 and an examination of the facts, recommends that the petition be approved for the reasons stated
6 in the attached report;
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does
9 ordain as follows:
10

11 A tract of land located in the NW 1/4 of the SW 1/4 of Section 29, T. 19 N., R. 23 E., Town
12 of Manitowoc Rapids, Manitowoc County, Wisconsin.
13

14 Commencing at the W 1/4 Corner of said Section 29; thence S. 89°33'18" E. a
15 distance of 30.80 feet, along the 1/4 section line; thence S. 00°05'34" W. a distance
16 of 33.00 feet, to the point of real beginning; thence S. 89°33'18" E. a distance of
17 193.60 feet, along the southerly right of way of Dutch Road; thence S.
18 00°05'34" W. a distance of 450.00 feet; thence N. 89°33'18" W. a distance of 193.60
19 feet; thence N. 00°05'34" E. a distance of 450.00 feet; along the easterly right of
20 way of South Union Road, to the point of real beginning, said tract containing
21 approximately 2.00 acres or 87,120 square feet of land and is hereby rezoned from
22 Exclusive Agriculture (EA) District to Rural Residential (RR) District.

Dated this 15th day of June 2021.

Respectfully submitted by the
Planning and Park Commission

David Dyzak, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. _____

COUNTERSIGNED: _____
James Brey, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

ORDINANCE AMENDING ZONING MAP
(Soaring Eagle Dairy LLC)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

WHEREAS, the Planning and Park Commission, after providing the required notice, held a public hearing on a petition for a zoning ordinance amendment on May 24, 2021; and

WHEREAS, the Planning and Park Commission, after a careful consideration of testimony and an examination of the facts, recommends that the petition be approved for the reasons stated in the attached report;

NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does ordain as follows:

A tract of land located in the NW 1/4 of the NE 1/4 of Section 11, T.19N., R.23E., Town of Manitowoc Rapids, Manitowoc County, Wisconsin described as follows:

Commencing at the North 1/4 corner of said Section 11, thence N88°07'29"E along the section line 960.40 feet to the point of real beginning, thence continue N88°07'29"E along said section line 359.80 feet to the 1/16 section line, thence S00°43'48"W along said 1/16th section line 1280.46 feet, thence N61°51'28"W 413.92 feet, thence N01°09'29"E 1073.57 feet to the point of real beginning, said tract containing approximately 9.83 acres of land and is hereby rezoned from Exclusive Agriculture (EA) District to Large Estate Residential (LE) District.

Dated this 15th day of June 2021.

Respectfully submitted by the
Planning and Park Commission

David Dyzak, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. _____

COUNTERSIGNED: _____
James Brey, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

ORDINANCE AMENDING ZONING MAP
(Woodland Dunes Nature Center)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, the Planning and Park Commission, after providing the required notice, held
2 a public hearing on a petition for a zoning ordinance amendment on May 24, 2021; and
3

4 WHEREAS, the Planning and Park Commission, after a careful consideration of testimony
5 and an examination of the facts, recommends that the petition be approved for the reasons stated
6 in the attached report;
7

8 NOW, THEREFORE, the county board of supervisors of the County of Manitowoc does
9 ordain as follows:
10

11 A tract of land located in the NW 1/4 of the SW 1/4 of Section 10, Town 19 North, Range
12 24 East, Town of Two Rivers, Manitowoc County, Wisconsin, described as follows:
13

14 Commencing at the W 1/4 Corner of said Section 10; Thence S 89°57'33" E,
15 1016.59 feet coincident with the north line of said SW 1/4 to the point of beginning;
16 Thence continuing S 89°57'33" E, 289.00 feet coincident with said north line to the
17 northwest corner of Block 22 of Manitowoc Beach Addition; Thence S 00°50'32"
18 E, 696.28 feet (recorded as 696.84') coincident with the west line of said Block 22
19 to the northerly right-of-way line of the Fox River Valley Railroad; Thence
20 S 68°14'32" W, 309.35 feet coincident with said right-of-way line; Thence N
21 00°50'32" W, 811.17 feet to the point of beginning, said parcel containing
22 approximately 217,800 Square Feet (5.000 Acres) of land and is hereby rezoned
23 from Natural Area (NA) District to Industrial (ID) District;
24

25 and
26

27 A tract of land located in part of Block 22 of Manitowoc Beach Addition being located in
28 Government Lot 3 of Section 10, Town 19 North, Range 24 East, Town of Two Rivers, Manitowoc
29 County, Wisconsin, described as follows:
30

31 Commencing at the W 1/4 Corner of said Section 10; Thence S 89°57'33" E,
32 2611.17 feet coincident with the north line of said Government Lot 3 to the Center
33 Corner of said Section 10 being the northeast corner of said Block 22 and the point
34 of beginning; Thence S 00°45'18" E, 177.37 feet (recorded as 178.2') coincident
35 with the east line of said Block 22 to the northerly right-of-way line of the Fox
36 River Valley Railroad; Thence S 68°14'32" W, 740.81 feet coincident with said
37 right-of-way line; Thence N 00°45'18" W, 452.49 feet to said north line of Block
38 22; Thence S 89°57'33" E, 691.66 feet coincident with said north line to the point
39 of beginning, said parcel containing approximately 217,800 Square Feet (5.000

40 Acres) of land and is hereby rezoned from Industrial (ID) District to Natural Area
41 (NA) District.

Dated this 15th day of June 2021.

Respectfully submitted by the
Planning and Park Commission

David Dyzak, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. _____

COUNTERSIGNED: _____
James Brey, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date

ORDINANCE AMENDING MANITOWOC COUNTY CODE CHAPTER 8
(Shipping Containers)

TO THE MANITOWOC COUNTY BOARD OF SUPERVISORS:

1 WHEREAS, Manitowoc County has adopted various ordinances that regulate the use and
2 development of land and buildings within the County, including Chapters 8 (General Zoning and
3 Land Use Regulation), 9 (Shoreland Zoning), and 10 (Setback Ordinance); and
4

5 WHEREAS, amendments must be made to the General Zoning and Land Use Regulation
6 Ordinance from time-to-time to keep the policies current, reflect current practice, and address new
7 issues and circumstances; and
8

9 WHEREAS, the Manitowoc County Planning and Park Commission has determined that
10 Manitowoc County should have regulations in place to properly control the placement of shipping
11 containers; and
12

13 WHEREAS, a public hearing was held on April 26, 2021 at 4:00 p.m. at the Manitowoc
14 County Office Complex, 4319 Expo Drive, Manitowoc, Wisconsin, after public notice; and
15

16 WHEREAS, the Manitowoc County Planning and Park Commission, after a careful
17 consideration of testimony and an examination of the facts attendant with the petition, recommends
18 that Chapter 8 of the Manitowoc County Code be amended to address the placement of shipping
19 containers in the County;
20

21 NOW, THEREFORE, the county board of supervisors of the county of Manitowoc does
22 ordain as follows:
23

24 Manitowoc County Code § 8.07 (Definitions) is amended to add the following definition:
25

26 “Shipping container” means a standardized reusable steel box used for the storage and
27 movement of materials and products within a freight transport system, which was
28 specifically designed or used to store goods or merchandise during shipping or hauling by
29 container upon ships, rail, or other types of transportation and are usually 8’ wide by 8’6’
30 high by either 20’ or 40’ in length.
31

32 Manitowoc County Code § 8.435 is hereby created to read as follows:
33

34 8.435 Shipping Containers. Shipping containers are permitted in all zoning districts,
35 except the Lake Residential (LR) District, provided the shipping container meets all of the
36 following:
37

- 38 (1) A zoning permit is required before placing any shipping container on any
39 parcel;
40
41 (2) Shipping containers shall be deemed accessory structures subject to all
42 requirements of Section 8.27 of this Zoning Ordinance;
43
44 (3) Shipping containers shall be located in a rear or side yard;
45
46 (4) Shipping containers shall not be located in a front yard;
47
48 (5) Shipping containers shall not be stacked on each other or on any other
49 structure or building;
50
51 (6) A maximum of two (2) shipping containers are allowed in the following
52 zoning districts: Large Estate (LE); Small Estate (SE); Rural Residential
53 (RR); High Density (HD); and Natural Area (NA);
54
55 (7) A maximum of four (4) shipping containers are allowed in the following
56 zoning districts: Commercial Business (CB); Industrial (I); General
57 Agriculture (GA); and Exclusive Agriculture (EA) zoning districts;
58
59 (8) Shipping containers shall be a neutral earth tone color or the same color as
60 the principal structure;
61
62 (9) Shipping containers shall not contain any labels, advertising, designs or
63 graffiti;
64
65 (10) Shipping containers shall be used only for personal storage and shall not be
66 rented or used as a mini-warehouse; and
67
68 (11) Shipping containers shall meet all setback requirements for the district in
69 which it is located.

70
71 and

72
73 BE IT FURTHER ORDAINED that this ordinance shall be effective upon publication.

Dated this 15th day of June 2021.

Respectfully submitted by the
Planning and Park Commission

David Dyzak, Chair

FISCAL IMPACT: None.

FISCAL NOTE: Reviewed and approved by Finance Director. _____

LEGAL NOTE: Reviewed and approved as to form by Corporation Counsel. _____

COUNTERSIGNED: _____
Jim Brey, County Board Chair Date

APPROVED: _____
Bob Ziegelbauer, County Executive Date _____

